

REMARKS

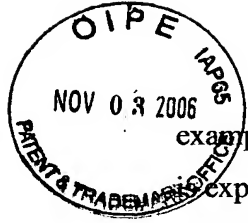
The Office Action of August 3, 2006 was received and reviewed. The Examiner is thanked for his consideration of this application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-13 and 18-23 were pending for consideration, of which claims 1, 5, 9, 13 and 18-19 are independent. By this Amendment, claims 3-4, 7-8, 11-12 and 14-17 have been canceled, and all independent claims 1, 5, 9, 13, 18 and 19 have been amended. Accordingly, claims 1-2, 5-6, 9-10, 13, 18-23 are pending.

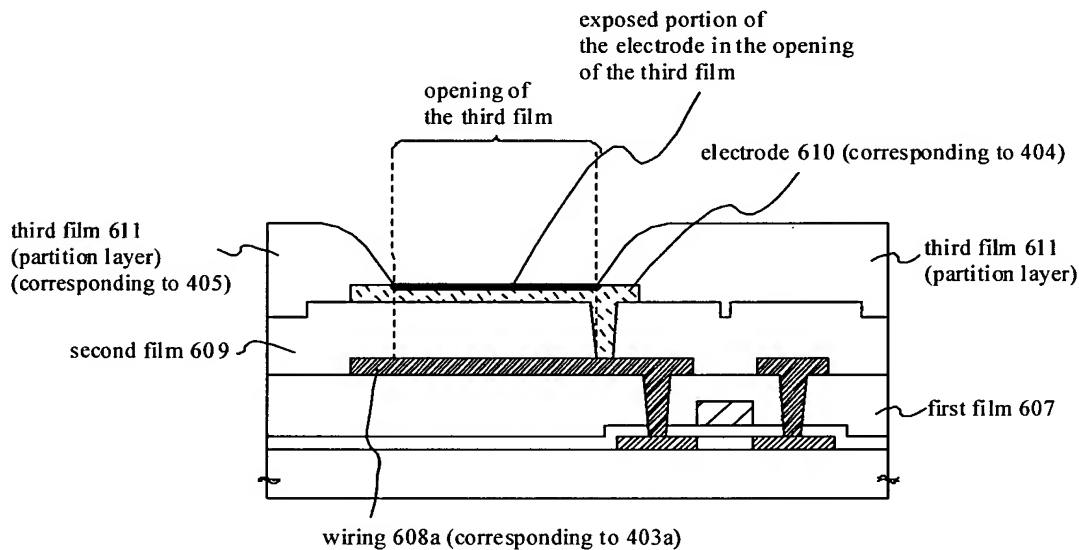
Referring now to the detailed Office Action, claims 1-13, 18 and 21-22 stand rejected under 35 U.S.C. §102(e) as anticipated by Sakurai (U.S. Publication No. 2003/0052597 A1 – hereafter Sakurai). Further, claims 19 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sakurai in view of Kimura (U.S. Publication No. 2002/0011799 A1 – hereafter Kimura). These rejections are respectfully traversed at least for the reasons provided below.

Initially, claims 3-4, 7-8, 11-12 and 14-17 have been canceled, and their rejection has been rendered as moot. Further, the English translation of specification submitted on December 10, 2004 contained obvious typographical errors. Accordingly, Applicants have amended the specification, as shown above, to correct the typographical errors, as shown above. The amended portions of the specification are now consistent with the rest of the specification and drawing figures. No new matter has been introduced by the amendments.

In response to the anticipatory rejection, Applicants have amended independent claims 1, 5 and 9, as shown above, to additionally recite “an entire exposed portion of the electrode of the light-emitting element in an opening of the third film overlaps with the wiring”. Further, with respect to independent claims 13, 18 and 19, Applicants have amended the claims to additionally recite “an entire exposed portion of the electrode of the light-emitting element in an opening of the partition layer overlaps with the conductive film”. Support for the amended features can be found at least in, e.g., paragraph [0080] of U.S. Patent Publication No. 2005/0082532 of this application, wherein it is stated, “In an opening of a third interlayer insulating film 405, a portion in which the wiring 403a and the electrode 404 of the light-emitting element are overlapped with each other with a second interlayer insulating film interposed therebetween is exposed”.



Additional support can be found in, e.g., Figs. 1, 3 and 5 in this application. For example, in Fig. 1, Fig. 5, the electrode 110 or 610 of the light-emitting element 116 or 616 is exposed in the opening of the third film (partition layer) 111 or 611, and the entire exposed portion of the electrode overlaps with the wiring 108a or 608a. For the Examiner's convenience and for the sake of simplifying the explanation of the claimed invention, Applicants include a marked up figure below, which is based on the Fig. 5 (B) in the specification.



In contrast with Applicants' claimed features, Sakurai does not teach the above amended features. Applicants respectfully assert that, as shown in the marked up Fig. 3 of Sakurai below, an entire exposed portion of the electrode 202 of the light-emitting element 204 in an opening of the third film 213 does not appear to overlaps with the wiring 210D.

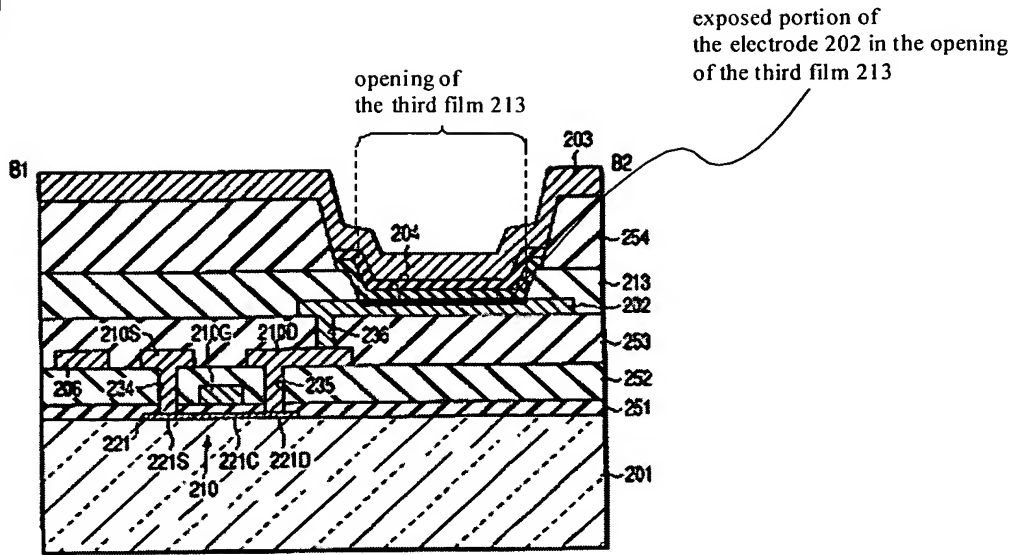


FIG. 3

Consequently, since each and every feature of the present claims is not taught (and is not inherent) in the teachings of Sakurai, as is required by MPEP Chapter 2131 in order to establish anticipation, the rejection of claims 1-13, 18 and 21-22, under 35 U.S.C. §102(e), as anticipated by Sakurai is improper.

The arguments and amendments set forth above in relation to the anticipatory rejection over Sakurai are also applicable to the obviousness rejection of claims 19 and 23 over Sakurai and Kimura.

In view of the foregoing, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1-2, 5-6, 9-10, 13, 18-23 be allowed and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,



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